

SCOTT N. SCHOOLS (SC 9990)  
 United States Attorney  
 JOANN M. SWANSON (CSBN 88143)  
 Chief, Civil Division  
 MELANIE L. PROCTOR (CSBN 228971)  
 Melanie.Proctor@usdoj.gov  
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102-3495  
 Telephone: (415) 436-6730  
 FAX: (415) 436-6927

Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

LIYONG LI and XIAOMING WANG,

Plaintiffs,

v.

MICHAEL CHERTOFF, Secretary of the  
 Department of Homeland Security;  
 EMILIO T. GONZALEZ, Director of U.S.  
 Citizenship and Immigration Services;  
 ROBERT S. MUELLER, III, Director of  
 Federal Bureau of Investigation;  
 CHRISTINA POULOS, Regional Director  
 of California Service Center, U.S.  
 Citizenship and Immigration Services;  
 PETER D. KEISLER, United States  
 Attorney General,

Defendants

No. C 07-3653 SBA

JOINT REQUEST FOR EXEMPTION  
 FROM THE FORMAL ADR PROCESS

Each of the undersigned certifies that he or she has read either the handbook entitled  
 "Dispute Resolution Procedures in the Northern District of California," or the specified portions of  
 the ADR Unit's Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute  
 resolution options provided by the court and private entities, and considered whether this case might  
 benefit from any of them.

///

Here, the parties agree that referral to a formal ADR process will not be beneficial because this action is limited to Plaintiffs' request for a hearing on their naturalization applications. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and that they be excused from participating in the ADR phone conference and any further formal ADR process.

Dated: November 6, 2007

Respectfully submitted,

SCOTT N. SCHOOLS  
United States Attorney

/s/  
MELANIE L. PROCTOR<sup>1</sup>  
Assistant United States Attorney  
Attorneys for Defendants

Dated: November 5, 2007

/s/  
LIYONG LI  
Pro Se

/s/  
XIAOMING WANG  
Pro Se

### ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 11/27/07

  
SAUNDRA B. ARMSTRONG  
United States District Judge

---

<sup>1</sup>I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

LIYONG LI et al,

Plaintiff,

v.

MICHAEL CHERTOFF et al,

Defendant.

Case Number: CV07-03653 SBA

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 3, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Liyong Li  
1144 Mount Whitney Street  
Livermore, CA 94551

Xiaoming Wang  
1144 Mount Whitney Street  
Livermore, CA 94551

Dated: December 3, 2007

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk

SCOTT N. SCHOOLS (SC 9990)  
 United States Attorney  
 JOANN M. SWANSON (CSBN 88143)  
 Chief, Civil Division  
 MELANIE L. PROCTOR (CSBN 228971)  
 Melanie.Proctor@usdoj.gov  
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102-3495  
 Telephone: (415) 436-6730  
 FAX: (415) 436-6927

Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

LIYONG LI and XIAOMING WANG, ) No. C 07-3653 SBA

Plaintiffs, )

v. )

MICHAEL CHERTOFF, Secretary of the )  
 Department of Homeland Security; )  
 EMILIO T. GONZALEZ, Director of U.S. )  
 Citizenship and Immigration Services; )  
 ROBERT S. MUELLER, III, Director of )  
 Federal Bureau of Investigation; )  
 CHRISTINA POULOS, Regional Director )  
 of California Service Center, U.S. )  
 Citizenship and Immigration Services; )  
 PETER D. KEISLER, United States )  
 Attorney General, )

Defendants )

JOINT REQUEST FOR EXEMPTION  
 FROM THE FORMAL ADR PROCESS

Each of the undersigned certifies that he or she has read either the handbook entitled  
 “Dispute Resolution Procedures in the Northern District of California,” or the specified portions of  
 the ADR Unit’s Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute  
 resolution options provided by the court and private entities, and considered whether this case might  
 benefit from any of them.

///

Here, the parties agree that referral to a formal ADR process will not be beneficial because this action is limited to Plaintiffs' request for a hearing on their naturalization applications. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and that they be excused from participating in the ADR phone conference and any further formal ADR process.

Dated: November 6, 2007

Respectfully submitted,

SCOTT N. SCHOOLS  
United States Attorney

/s/  
MELANIE L. PROCTOR<sup>1</sup>  
Assistant United States Attorney  
Attorneys for Defendants

Dated: November 5, 2007


/s/  
LIYONG LI  
Pro Se

/s/  
XIAOMING WANG  
Pro Se

### ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 11/27/07

  
SAUNDRA B. ARMSTRONG  
United States District Judge

<sup>1</sup>I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

LIYONG LI et al,

Plaintiff,

v.

MICHAEL CHERTOFF et al,

Defendant.

Case Number: CV07-03653 SBA

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 3, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Liyong Li  
1144 Mount Whitney Street  
Livermore, CA 94551

Xiaoming Wang  
1144 Mount Whitney Street  
Livermore, CA 94551

Dated: December 3, 2007

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk